

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 13

Erick Gonzalez

Case No. 18-44118-nhl

Debtor.
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CONDITIONAL ORDER TERMINATING LOSS MITIGATION

WHEREAS, on July 31, 2018, a Loss Mitigation Request was filed by Erick Gonzalez (the “Debtor”); and

WHEREAS, on September 3, 2018, the Court entered a Loss-Mitigation Order directing the Debtor and Seterus, Inc. (“Seterus”) to engage in loss mitigation discussions (the “Loss Mitigation Program”) with respect to property located at 534 47th Street Brooklyn NY 11220, Loan No. 5684; and

WHEREAS, on January 30, 2019, a Notice of Assignment of Claim was filed, providing notice that Seterus transferred its claim to U.S. Bank Trust National Association as Trustee of Chalet Series III Trust c/o SN Servicing Corporation (the “Secured Creditor”); and

WHEREAS, on or about May 9, 2019, the Secured Creditor offered the Debtor a trial modification that included a down payment in the amount of \$3,561.38 due by May 31, 2019 and six (6) monthly trial payments in the amount of \$4,313.83 commencing with the June 1, 2019 payment thru November 1, 2019; and

WHEREAS, Secured Creditor filed a status letter on December 17, 2019 advising that a denial letter was issued as the Debtor failed to remit timely payments pursuant to the terms of the trial plan; and

WHEREAS, the Court held an Adjourned Loss Mitigation Status Conference on December 18, 2019 (the “Hearing”), at which appeared Chad Harlan on behalf of the Secured Creditor, and Robert Nadel on behalf of the Debtor; now, therefore, it is hereby

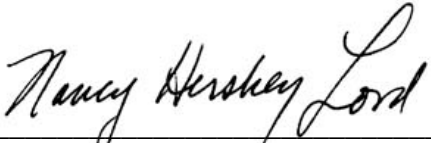
ORDERED, that for the reasons set forth on the record at the Hearing, the Debtor is to tender the October 1, 2019 through December 1, 2019 trial payments **on or before January 15, 2020**; and it is further

ORDERED, that if the Debtor does not comply with the terms of this Conditional Order, the Secured Creditor may file a letter of default of the Conditional Order, and upload a proposed order seeking termination of the Loss Mitigation Program; and it is further

ORDERED, that if the Debtor tenders all aforementioned trial payments, an adjourned loss mitigation hearing will be held on February 6, 2020.

Dated: December 30, 2019
Brooklyn, New York




Nancy Hershey Lord
United States Bankruptcy Judge